

IN THE CLAIMS:

## CLAIMS

1. (Original) A light emitting device, being characterized by forming a semiconductor layer on an uneven surface of an uneven substrate.

2. (Original) The light emitting device as set forth in Claim 1, wherein the uneven substrate and the semiconductor layer comprise  $\text{Al}_x\text{Ga}_y\text{In}_{1-x-y}\text{N}$  ( $0 \leq x$ ,  $0 \leq y$ ,  $x+y \leq 1$ ).

3. (Currently Amended) The light emitting device as set forth in Claim 1 ~~or 2~~, wherein each of the planes forming the uneven surface of the uneven substrate has at least one plane index selected from among (11-2L) and (1-10L), wherein L represents an integer of from 1 to 4.

4. (Currently Amended) The light emitting device as set forth in Claim 1 ~~or 2~~, ~~wherein the angle formed between each of the planes forming the uneven surface of the uneven substrate and the base plane is from 35° to 80°~~ wherein each of the planes forming the uneven surface of the uneven substrate has at least one plane index selected from among (11-2L) and (1-10L), wherein L represents an integer of from 1 to 4.

5. (New) The light emitting device as set forth in Claim 1, wherein the angle formed between each of the planes forming the uneven surface of the uneven substrate and the base plane is from 35° to 80°.

6. (New) The light emitting device as set forth in Claim 2, wherein the angle formed between each of the planes forming the uneven surface of the uneven substrate and the base plane is from 35° to 80°.